

**HUMAN SERVICES DEPARTMENT[441]**

**Adopted and Filed**

Pursuant to the authority of Iowa Code section 249A.4 and 2017 Iowa Acts, House File 653, section 12(15)(a)(1), the Department of Human Services hereby amends Chapter 79, “Other Policies Relating to Providers of Medical and Remedial Care,” Iowa Administrative Code.

This amendment implements a cost-containment strategy to adjust the reimbursement policy in order to eliminate the primary care physician rate increase originally authorized by the federal Health Care and Education Reconciliation Act of 2010, Section 1202, Pub. L. No. 111-152, 42 U.S.C. §1396a(a)(13)(C), that allows qualified primary care physicians to receive the greater of the Medicare rate or Medicaid rate for a specified set of “primary care” current procedural terminology (CPT) procedure codes.

Notice of Intended Action was published in the Iowa Administrative Bulletin as **ARC 3167C** on July 5, 2017. This amendment was also Adopted and Filed Emergency and published as **ARC 3160C** on the same date and became effective July 1, 2017. The Department received no comments during the public comment period. This amendment is identical to that published under Notice of Intended Action and Adopted and Filed Emergency.

The Council on Human Services adopted this amendment on August 9, 2017.

This amendment does not provide for waivers in specified situations because requests for the waiver of any rule may be submitted under the Department’s general rule on exceptions at 441—1.8(17A,217).

After analysis and review of this rule making, no impact on jobs has been found.

This amendment is intended to implement Iowa Code section 249A.4 and 2017 Iowa Acts, House File 653, section 12(15)(a)(1).

This amendment will become effective October 4, 2017, at which time the Adopted and Filed Emergency amendment is hereby rescinded.

The following amendment is adopted.

Amend paragraph **79.1(7)“c,”** introductory paragraph, as follows:

*c. Payment for primary care services.* To the extent required by 42 U.S.C. § 1396a(a)(13)(C), primary care services furnished in calendar year 2013 or 2014 by a qualified primary care physician or under the supervision of a qualified primary care physician shall be paid as provided pursuant to subparagraphs (1) to (4) and (6) of this paragraph (79.1(7) “c”). Primary care services furnished ~~on~~ ~~or after~~ January 1, 2015, through June 30, 2017, by a qualified primary care physician or under the supervision of a qualified primary care physician shall be paid as provided pursuant to subparagraphs (1) to (3), (5), and (7) of this paragraph (79.1(7) “c”).

[Filed 8/9/17, effective 10/4/17]

[Published 8/30/17]

EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 8/30/17.